From: Souki, Jesse K.

To: 'Renee.Marler@dot.gov'

CC: Woo, Donna M; Kitaoka, Don S

Sent: 10/8/2009 3:35:20 PM Subject: RE: Honolulu Rail Project

PRIVILEGED AND CONFIDENTIAL COMMUNICATION SUBJECT TO JOINT DEFENSE AGREEMENT

Sure, whatever is convenient, standing by.

Sincerely, Jesse K. Souki Deputy Corporation Counsel City and County of Honolulu Tel.: (808) 768-5135

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----Original Message----

From: Renee.Marler@dot.gov [mailto:Renee.Marler@dot.gov]

Sent: Thursday, October 08, 2009 12:13 PM

To: Souki, Jesse K.

Cc: Woo, Donna M; Kitaoka, Don S Subject: RE: Honolulu Rail Project

My sincere apologies for not attending the call. I was called away from my office to handle another matter of an urgent nature. Since it has been a few weeks, let me review our issue and get back to you. Perhaps I can frame the question in an email so as to not take up your time on a call.

## Renee

----Original Message----

From: Souki, Jesse K. [mailto:jsouki@honolulu.gov]

Sent: Thursday, October 08, 2009 2:48 PM

To: Marler, Renee (FTA)

Cc: Woo, Donna M; Kitaoka, Don S Subject: RE: Honolulu Rail Project

Renee,

We missed you for our conference call this morning.

If you would like to reschedule or if there is any additional information you require that will help to facilitate the process, please let us know.

Sincerely, Jesse K. Souki Deputy Corporation Counsel City and County of Honolulu Tel.: (808) 768-5135

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have received this e-mail in error, please contact the sender immediately and delete the material from any computer.

----Original Message----

From: Souki, Jesse K.

Sent: Monday, October 05, 2009 10:13 AM

To: 'Renee.Marler@dot.gov'

Cc: Woo, Donna M; Kitaoka, Don S; Mau, Mary Ann F

Subject: RE: Honolulu Rail Project

Renee,

We'll give you a call at 415-744-2736 on Thursday, October 8, 2009 at 10:30 a.m. (HST)/1:30 p.m. (PST).

Hope you feel better soon.

Sincerely, Jesse K. Souki Deputy Corporation Counsel City and County of Honolulu Tel.: (808) 768-5135

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----Original Message----

From: Renee.Marler@dot.gov [mailto:Renee.Marler@dot.gov]

Sent: Monday, October 05, 2009 8:23 AM

To: Souki, Jesse K.

Cc: Woo, Donna M; Kitaoka, Don S Subject: RE: Honolulu Rail Project

Jesse,

I am very sorry that I cannot make our scheduled conference call today. Are you available at this time on Tuesday or Thursday?

I am recovering from chest  $\operatorname{cold}$  - I hope to be back in the office tomorrow.

Renee Marler Regional Counsel Federal Transit Administration, TRO-IX

----Original Message----

From: Souki, Jesse K. [mailto:jsouki@honolulu.gov]

Sent: Thu 10/1/2009 8:17 PM To: Marler, Renee (FTA)

Cc: Woo, Donna M; Kitaoka, Don S Subject: RE: Honolulu Rail Project

Renee,

That works.

So we'll give you a call at 415-744-2736, on Monday, October 5, 2009 at 10:30 a.m. (HST)/1:30 p.m. (PST).

Thanks.

Sincerely,

Jesse K. Souki

Deputy Corporation Counsel City and County of Honolulu Tel.: (808) 768-5135

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From: Renee.Marler@dot.gov [mailto:Renee.Marler@dot.gov]

Sent: Thursday, October 01, 2009 2:13 PM

To: Souki, Jesse K.

Cc: Woo, Donna M; Kitaoka, Don S Subject: RE: Honolulu Rail Project

Jesse,

Thanks for your reply. Monday would work well for me - any time after 1:30 pm pacific (that should be 10:30 your time?)

Thanks,

Renee Marler

Regional Counsel

Federal Transit Administration, TRO-IX

Main: 415-744-3133

Direct: 415-744-2736

----Original Message----

From: Souki, Jesse K. [mailto:jsouki@honolulu.gov]

Sent: Thursday, October 01, 2009 5:05 PM

To: Marler, Renee (FTA)

Cc: Woo, Donna M; Kitaoka, Don S

Subject: FW: Honolulu Rail Project

Renee,

Ted Matley said that you had some questions about the attached letter regarding state claims. Please let us know when it would be a good time to call you. We are available at the following times: Anytime today or Monday anytime after 10:30 a.m.

Sincerely,

Jesse K. Souki

Deputy Corporation Counsel

City and County of Honolulu

Tel.: (808) 768-5135

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From: Ted.Matley@dot.gov [mailto:Ted.Matley@dot.gov]

Sent: Thursday, October 01, 2009 7:31 AM

To: Miyamoto, Faith

Subject: RE: Honolulu Rail Project

Faith, thee are several statement made in this letter regarding Hawaii

state law and the constitution, etc. Can your legal Counsel provide

Renee with an analysis of their claims regarding state issues? If they
want to discuss in more detail they should contact Renee directly.

From: Miyamoto, Faith [mailto:fmiyamoto@honolulu.gov]

Sent: Monday, September 28, 2009 9:03 PM

To: Matley, Ted (FTA)

Subject: Honolulu Rail Project

Hi Ted -

Attached is letter from Native Hawaiian Legal Corporation re: Ms.

Kaleikini. Her attorney wants to be included in Section 106 Consulting

Party Meeting. Please advise as to how to handle on Wednesday.

Faith Miyamoto

Department of Transportation Services

City & County of Honolulu

(808) 768-8350

fmiyamoto@honolulu.gov